

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 4TH DAY OF DECEMBER 2018

THE HON'BLE MR. JUSTICE M.GOVINDARAJ

A. No.3652 of 2018

In the matter of Arbitration &
Conciliation Act 1996 and
In the matter of Disputes between
M/s.Cholamandalam Investment and
Finance Company Ltd. and Malabar
Hotels Pvt.Ltd arising under the
Loan Agreement No:
XVFPCHN00001462208 Dated
31.07.2015.

M/s.Cholamandalam Investment & Finance Co Limited
Rep.by its Authorised Signatory
"Parrys House", No.2, N.S.C.Bose Road
Parrys, Chennai 600 001.

सत्यमेव जयते

...Applicant

-Vs-

M/s.Malabar Hotels Pvt Ltd
1/238, Old Mahabalipuram Road
Semmanchery, Chennai 600 119.

...Respondent

Application praying that this Hon'ble Court be pleased to appoint the employee of the Applicant viz.Mr.P.Yuvaraj, Legal Officer to seize and take possession of the vehicle which is morefully described in the schedule to the Judges Summons which is lying in the custody of respondents, men, servants, agents, from his premises at No:1/238, Old Mahabalipuram Road, Semmenchery, Chennai 600 119 or wherever found with the police aid and break open of premises if necessary.

This Application coming on this day before this court for hearing the court made the following order:

By order dated 27.07.2018, this Court appointed Mr.B.T.Prasanna, Legal Executive of the applicant, as Receiver to seize and take possession of the subject vehicle in question.

2.Pursuant to the order passed by this Court, it is now represented by the learned counsel appearing for the applicant that the vehicle has been repossessed by the applicant and arbitration proceedings have been initiated and the same is pending. Till completion of the arbitration proceedings, they will not alienate the vehicle. The said statement is recorded.

3. Though the respondent has been served and his name appears in the cause list, none appears on his behalf.

4. In view of the above, nothing survives for further adjudication in this application and the same stands closed. Both the applicant as well as the respondent are entitled to take such further action, as they may desire, in accordance with law.

Sd/- M.G.R.J.
04.12.2018

//Certified to be a true copy//
Dated this the day of 2018.

DL/06.12.2018

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

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